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VIA ECF

Honorable Pamela K. Chen, United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. McMahon, et al.*
Docket No. 21-cr-265

Dear Judge Chen:

As Your Honor may recall, this Firm represents defendant Michael McMahon in the above-captioned matter. We write in response to the Court's May 28, 2022 Order scheduling an *ex parte* meeting with counsel for Mr. McMahon on June 2, 2022 at 10:00 A.M. "to discuss anticipated defenses [that Mr. McMahon] may raise" throughout the pendency of this matter, and further requiring that counsel "inform the Court . . . whether [Mr. McMahon] will be present at the designated meeting."

We write to advise the Court that Mr. McMahon does not intend to participate personally in the June 2, 2022 *ex parte* meeting; we will do so on his behalf. That said, Mr. McMahon will come to the session with us and will remain outside of the courtroom during the meeting and be available should Your Honor have any questions for him regarding his anticipated defenses or otherwise.

We look forward to addressing the Court on Thursday and thank Your Honor for that opportunity. Please do not hesitate to contact us should Your Honor have any questions or concerns with regard to the above.

Respectfully submitted,

s/ Lawrence Lustberg
Lawrence S. Lustberg

cc: All counsel of record (via ECF)